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PTO/SB/30 (08-03)

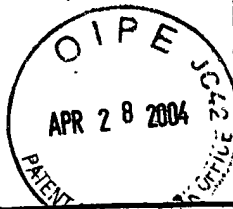
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# Request For Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450



Application Number	09/836,705
Filing Date	April 17, 2001
First Named Inventor	Yuki ABE
Art Unit	1652
Examiner Name	Kathleen M. Kerr
Attorney Docket Number	01149/HG

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

  - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on Supplemental Response under 37 CFR 1.116 filed April 13, 2004
    - ☒ Other Supplemental Amendment under 37 CFR 1.116 filed April 14, 2004
  - ☒ Enclosed
    - ☒ Amendment/Reply
    - ☐ Affidavit(s)/ Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☒ Other Petition for Extension of Time
- Miscellaneous**

  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

  - ☒ To the extent not tendered by check, authorization is given to charge any additional fees, or to credit any overpayment, to Deposit Account 06-1378. A duplicate of this letter is enclosed.
    - ☒ RCE fee required under 37 CFR 1.17(e) is enclosed. 05/03/2004 TBESHAH1 00000012 09836705
    - ☒ Extension of time fee (37 CFR 1.138 and 1.17) is enclosed. 01 FC:1801 770.00 OP
    - ☐ Other \_\_\_\_\_
  - ☒ Check in the amount of \$ 770 and \$110 and \$36 enclosed
    - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard S. Barth	Registration No. (Attorney/Agent)	28,180
Signature	<i>Richard S. Barth</i>	Date	APRIL 28, 2004

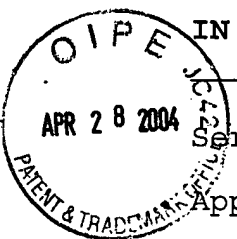
## CERTIFICATE OF MAILING OR TRANSMISSION

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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450

*Dorothy DeFrancesco*  
Dorothy DeFrancesco

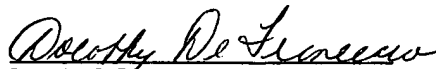


**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Serial No. : 09/836,705  
Applicants : Yuki ABE et al.  
Filed : April 17, 2001  
For : METHODS FOR PRODUCING ML-236B,  
A PRAVASTATIN PRECURSOR,  
USING A HOST CELL TRANSFORMED  
WITH *mlcR*, A TRANSCRIPTION  
FACTOR  
Art Unit : 1652  
Examiner : Kathleen M. Kerr  
Docket No. : 01149/HG  
Customer No.: 01933  
Confirmation No.: 7090

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Dorothy DeFrancesco

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

S I R :

Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 19 of this paper.